

**ASSEMBLY BILL**

**No. 1771**

**Introduced by Committee on Water, Parks and Wildlife  
(Canciamilla (Chair), Berg, Corbett, Frommer, Goldberg,  
Kehoe, Lowenthal, Matthews, Parra, Pavley, and Wolk)**

March 12, 2003

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An act to amend Section 11361 of the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1771, as introduced, Committee on Water, Parks and Wildlife. State government.

(1) The California Administrative Procedure Act sets forth the requirements for the adoption and revision of regulations, guidelines, and criteria by state agencies generally. The adoption or revision of regulations, guidelines, or criteria to implement specified provisions of law are exempted from specified provisions of the act.

This bill would include among those exemptions regulations, guidelines, or criteria to implement the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 and the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002.

(2) Appropriations for the support of various state programs are made through the annual Budget Act, subject to certain restrictions.

This bill would provide that the provisions of a specified section of the Budget Act of 2002 that apply to the items of the Budget Act that are augmented by appropriations made pursuant to specified provisions of law, are also applicable to those augmentations.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11361 of the Government Code is  
2 amended to read:

3 11361. (a) This chapter does not apply to the adoption or  
4 revision of regulations, guidelines, or criteria to implement ~~the~~ any  
5 of the following acts:

6 (1) *The Safe Neighborhood Parks, Clean Water, Clean Air, and*  
7 *Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley*  
8 *Act) (Chapter 1.692 (commencing with Section 5096.300) of*  
9 *Division 5 of the Public Resources Code). The*

10 (2) *The California Clean Water, Clean Air, Safe Neighborhood*  
11 *Parks, and Coastal Protection Act of 2002 (Chapter 1.696*  
12 *(commencing with Section 5096.600) of Division 5 of the Public*  
13 *Resources Code).*

14 (3) *The Water Security, Drinking Water, Coastal and Beach*  
15 *Protection Act of 2002 (Division 26.5 (commencing with Section*  
16 *79500) of the Water Code).*

17 (b) The adoption or revision of regulations, guidelines, or  
18 criteria, if necessary to implement ~~that act~~ the acts described in  
19 subdivision (a), shall instead be accomplished by means of a public  
20 process reasonably calculated to give those persons interested in  
21 their adoption or revision an opportunity to be heard.

22 SEC. 2. The provisions of Section 2.00 of the Budget Act of  
23 2002 (Chapter 425 of the Statutes of 2002) that apply to the items  
24 of the Budget Act that are augmented by appropriations made  
25 pursuant to the following provisions, are also applicable to those  
26 augmentations:

27 (a) Sections 3 to 5, inclusive, of Chapter 727 of the Statutes of  
28 2002.

29 (b) Section 7 of Chapter 983 of the Statutes of 2002.

30 (c) Section 2 of Chapter 984 of the Statutes of 2002.

31 (d) Sections 2 and 4 of Chapter 1126 of the Statutes of 2002,  
32 and Sections 21 and 24 of Chapter 1127 of the Statutes of 2002.

1 SEC. 3. This act is an urgency statute necessary for the  
2 immediate preservation of the public peace, health, or safety  
3 within the meaning of Article IV of the Constitution and shall go  
4 into immediate effect. The facts constituting the necessity are:

5 In order to provide for the efficient administration of state funds  
6 at the earliest possible time, it is necessary for this act to take effect  
7 immediately.

